

**ORDINANCE NO. 2436**

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF GILBERT, ARIZONA, AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF GILBERT BY AMENDING ORDINANCES NO. 1649, 1710, 2361, 2404, 2405 AND 2432 PERTAINING TO THE BRIDGES PLANNED AREA DEVELOPMENT BY REZONING APPROXIMATELY 25.78 ACRES OF REAL PROPERTY GENERALLY LOCATED SOUTH OF THE SOUTHEAST CORNER OF HIGLEY AND QUEEN CREEK ROADS IN ZONING CASE Z13-09, FROM SINGLE FAMILY - 6 (SF-6) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT OVERLAY ZONING DISTRICT TO SINGLE FAMILY DETACHED (SF-D) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY ZONING DISTRICT; AND BY AMENDING CONDITIONS OF DEVELOPMENT BY AMENDING THE DEVELOPMENT PLAN AND BY INCREASING THE MINIMUM LOT SIZE, DECREASING THE MAXIMUM, SETTING MINIMUM LOT DIMENSIONS; AND RESTATING AND INCORPORATING THE PROVISIONS OF ORDINANCE NOS. 1649, 1710, 2361, 2404, 2405 AND 2432. HEREIN; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR NON-SEVERABILITY; AND PROVIDING FOR PENALTIES.

WHEREAS, by adoption of this Ordinance, the Town of Gilbert Town Council desires to rezone certain parcels and amend conditions of development relating to the development of certain parcels within the Bridges Planned Area Development (PAD) pursuant to the Town of Gilbert Zoning Code requirements for a Planned Area Development to modify base zoning district regulations to implement policies in the General Plan; and

WHEREAS, the Town Council has determined that this amendment to the Zoning Map and the Planned Area Development conditions of development conforms with the Town of Gilbert General Plan as amended, any applicable Specific Area Plan, neighborhood, or other plan, and any overlay zoning district; and

WHEREAS, all required public notice was provided and all required public meetings and hearings were held in accordance with applicable state and local laws; and

WHEREAS, that certain document entitled Exhibit 3: Amended Development Plan of the Bridges at Gilbert 1-3 Planned Area Development, dated June 5, 2013 is attached hereto and incorporated by this reference.

NOW THEREFORE, BE IT ORDAINED by the Common Council of the Town of Gilbert, Arizona, as follows:

Section I. In General.

1. The Official Zoning Map of the Town of Gilbert, Arizona is hereby amended by amending Ordinances Nos. 1649, 1710, 2361, 2404, 2405 and 2432 relating to the Bridges PAD by changing the zoning classification of real property consisting of approximately 25.78 acres located south of the southeast corner of Higley and Queen Creek Roads (the "Property"), as described in the legal description, Exhibit 1 and shown on the Zoning Exhibit (map) in Exhibit 2, both attached hereto and incorporated by reference herein, from Single Family – 6 (SF-6) zoning district with a Planned Area Development overlay zoning district to Single Family Detached (SF-D) zoning district with a Planned Area Development overlay zoning district.

2. Ordinances Nos. 1649, 1710, 2361, 2404, 2405 and 2432 relating to the Bridges PAD are amended by adding new Exhibit 3, attached hereto and incorporated herein, and making that Exhibit part of the Development Plan for the Bridges PAD, as set forth in or attached to Ordinances Nos. 1649, 1710, 2361, 2404, 2405 and 2432 to read as follows:

EXHIBIT 1: Legal Description

EXHIBIT 2: Zoning Map

EXHIBIT 3: Amended Development Plan of the Bridges PAD, Parcel 1-3, dated June 5, 2013.

3. All dedications, development requirements and development conditions set forth in Ordinances Nos. 1649, 1710, 2361, 2404, 2405 and 2432 relating to the Bridges PAD are incorporated herein and shall remain in full force and effect, except as amended by revising development conditions and adding new conditions to read as follows (additions shown in ALL CAPS, deletions shown in strikeout):

a. Project shall be developed in conformance with the Town's zoning requirements for the Single Family - 7, Single Family – 6 and Single Family – Detached and Public Facility Institutional zoning district, except as modified by these conditions. All single-family residential lots shall comply with the following standards:

<i>Zoning District*</i>	<i>Minimum Width/Depth</i>	<i>Minimum Lot Size</i>	<i>Max. Height Feet/Stories</i>
SF-7	70' x 100'	7,000	30'/2
SF-6	55' x 100'	6,000	30'/2
SF-D (other than Phase 1, Parcel 1 AND PHASE 1 PARCEL 3	N/A	3,000	36/3
SF-D/Z-lot	38' x 100'	4,500	30'/2
SF-D/Villa	38.5' x 78'	3,003	30'/2
SF-D Phase 1 Parcel 1	Per LDC	7,000	Per LDC
SF-D PHASE 1 PARCEL 3	55' X 110'	6,000	30'/2-STORY

b. The maximum number of dwelling units shall be limited to the maximum allowed under the Gilbert General Plan.

c. Developer shall create a new Homeowner's Association (HOA) for the ownership, maintenance, landscaping, improvements and preservation of all common areas and open space areas and landscaping within the rights-of-way.

d. In order for Developer to develop and use the Property as it intends, several off-site improvements are required. All engineering plans and specifications for the improvements shall be approved by the Town Engineer prior to commencement of construction by developer. All improvements shall comply with the Town's design and warranty requirements and other requirement. The Town shall construct the following improvement and Developer shall reimburse the Town its pro rata share of those improvements upon notice from the Town: Ocotillo Road Improvements, Higley Road Improvements, Higley Road Bridge over Queen Creek Was, the Ocotillo Road Twenty-inch Waterline Improvement and the Higley Road 16" Water Line Improvement..

1) Deleted.

2) Deleted.

3) Deleted.

4) Deleted.

5) Deleted.

6) Deleted.

7) Deleted.

8) Deleted.

9) Deleted.

10) Deleted.

11) Deleted.

12) Deleted.

13) The developer shall satisfy all financial obligations pertaining to the Property as set forth in all applicable water and sewer buy-in agreements, whereby the developer shall pay for its proportional share of water and sewer mains prior to final plat approval.

e. Developer shall satisfy and comply with all financial and development obligations and responsibilities set forth in that certain development agreement, dated January 12, 2012, recorded in the Office of The Maricopa County Recorder, Record No. 2012-0035819.

Section II. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

Section III. Providing for Non-Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, then this entire ordinance is invalid and shall have no force or effect.

Section IV. Providing for Penalties.

Any person found responsible for violating this Ordinance shall be subject to the civil sanctions and habitual offender provisions set forth in Sections 5.1205 and 5.1206 of the

Gilbert Land Development Code. Each day a violation continues, or the failure to perform any act or duty required by this zoning ordinance, the Zoning Code or by the Town of Gilbert Municipal Court continues, shall constitute a separate civil offense.

PASSED AND ADOPTED by the Common Council of the Town of Gilbert, Arizona, this 27<sup>th</sup> day of June, 2013 by the following vote:

AYES: Cook, Cooper, Daniels, Lewis, Petersen, Ray, Taylor

NAYES: \_\_\_\_\_ ABSENT: \_\_\_\_\_

EXCUSED: \_\_\_\_\_ ABSTAINED: \_\_\_\_\_

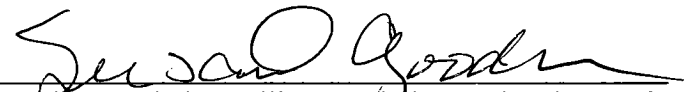
APPROVED this 27TH day of JUNE 2013.

  
\_\_\_\_\_  
John W. Lewis, Mayor

ATTEST:

  
\_\_\_\_\_  
Catherine A. Templeton, Town Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Curtis, Goodwin, Sullivan, Ueda, & Schwab, P.L.C.  
Town Attorneys  
By \_\_\_\_\_

I, CATHERINE A. TEMPLETON, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 2436 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF GILBERT ON THE 27TH DAY OF JUNE 2013, WAS POSTED IN FOUR PLACES ON THE 8TH DAY OF JULY 2013.

  
Catherine A. Templeton, Town Clerk

The following exhibits are attached hereto and incorporated herein:

Exhibit 1: Legal Description

Exhibit 2: Zoning Map

Exhibit 3: Amended Development Plan of the Bridges PAD Parcel 1-3, dated June 5, 2013

**EXHIBIT  
THE BRIDGES AT GILBERT, PE  
ZONING BOUNDARY  
LEGAL DESCRIPTION**

All that certain lot, tract, or parcel of land, situated in a portion of the Southeast Quarter of Section 11 and the North half of Section 14, Township 2 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and being more completely described as follows, to-wit:

BEGINNING at a found Maricopa County cap for the North Quarter corner of Section 14, from which a found Brass cap in handhole for the Northwest corner of Section 14 bears North 89 deg. 13 min. 03 sec. West (Basis of Bearings) - 2632.38 feet;

THENCE North 00 deg. 36 min. 41 sec. East departing the North line of said Section 14, a distance of 33.00 feet;

THENCE South 89 deg. 13 min. 23 sec. East, a distance of 169.10 feet;

THENCE South 01 deg. 00 min. 18 sec. West, a distance of 294.68 feet;

THENCE South 07 deg. 15 min. 24 sec. East, a distance of 50.00 feet;

THENCE South 24 deg. 08 min. 50 sec. West, a distance of 18.28 feet;

THENCE South 01 deg. 00 min. 18 sec. West, a distance of 161.67 feet;

THENCE South 02 deg. 11 min. 13 sec. West, a distance of 26.20 feet;

THENCE South 04 deg. 49 min. 12 sec. West, a distance of 32.16 feet;

THENCE South 07 deg. 43 min. 18 sec. West, a distance of 32.16 feet;

THENCE South 12 deg. 09 min. 47 sec. West, a distance of 66.25 feet;

THENCE South 15 deg. 09 min. 42 sec. West, a distance of 29.64 feet;

THENCE South 20 deg. 16 min. 50 sec. West, a distance of 34.21 feet;

THENCE South 19 deg. 41 min. 56 sec. West, a distance of 55.00 feet;

THENCE South 19 deg. 09 min. 20 sec. West, a distance of 54.98 feet;

THENCE South 13 deg. 57 min. 05 sec. West, a distance of 54.70 feet;

THENCE South 07 deg. 42 min. 20 sec. West, a distance of 54.37 feet;

THENCE South 04 deg. 49 min. 05 sec. West, a distance of 37.05 feet;

THENCE South 11 deg. 10 min. 55 sec. West, a distance of 37.07 feet;

THENCE South 12 deg. 26 min. 09 sec. East, a distance of 220.82 feet;

THENCE South 77 deg. 11 min. 21 sec. West, a distance of 649.22 feet to a Point of Curvature of a circular curve to the left, having a radius of 805.00 feet, a central angle of 3 deg. 38 min. 49 sec., and being subtended by a chord which bears South 75 deg. 21 min. 56 sec. West - 51.23 feet;

THENCE in a westerly direction along said curve to the left, a distance of 51.24 feet;

THENCE North 16 deg. 27 min. 28 sec. West radial to said curve, a distance of 109.76 feet;

THENCE North 32 deg. 11 min. 56 sec. West, a distance of 56.29 feet;

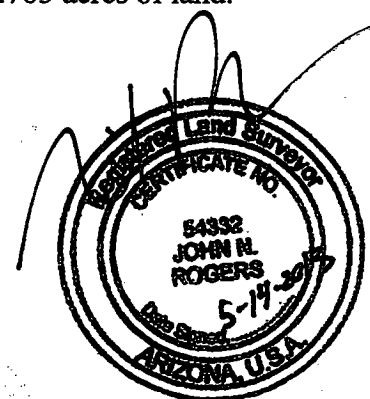
THENCE North 19 deg. 53 min. 27 sec. West, a distance of 110.00 feet;

THENCE North 70 deg. 06 min. 33 sec. East, a distance of 12.00 feet;

THENCE North 19 deg. 53 min. 27 sec. West, a distance of 878.43 feet;

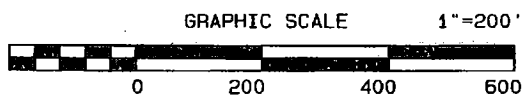
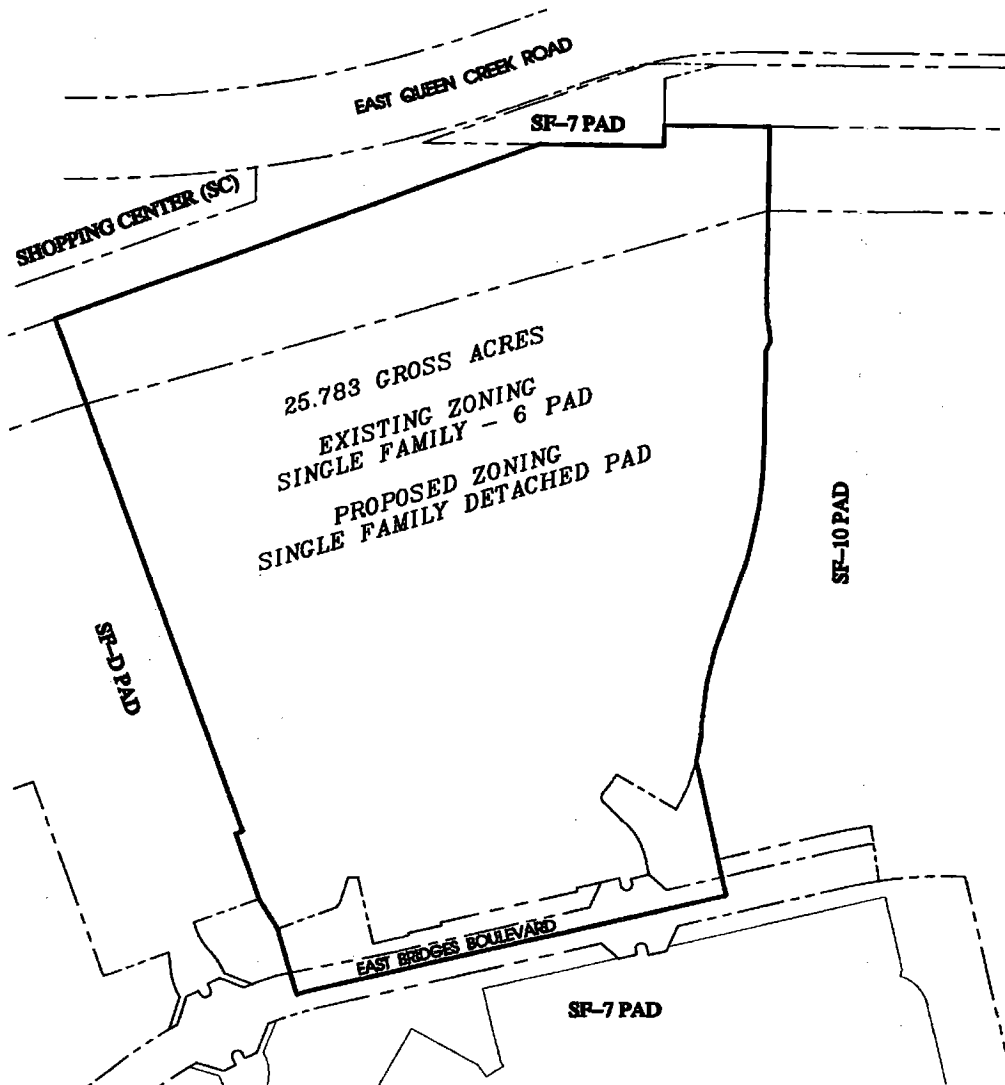
THENCE North 70 deg. 04 min. 38 sec. East, a distance of 822.16 feet to the North line of the Northwest Quarter of said Section 14;

THENCE South 89 deg. 13 min. 03 sec. East along said North line, a distance of 196.92 feet to the POINT OF BEGINNING, containing 1,123,087 square feet or 25.783 acres of land.

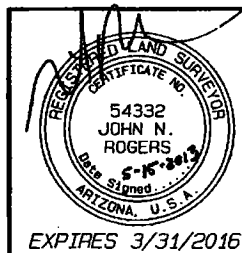




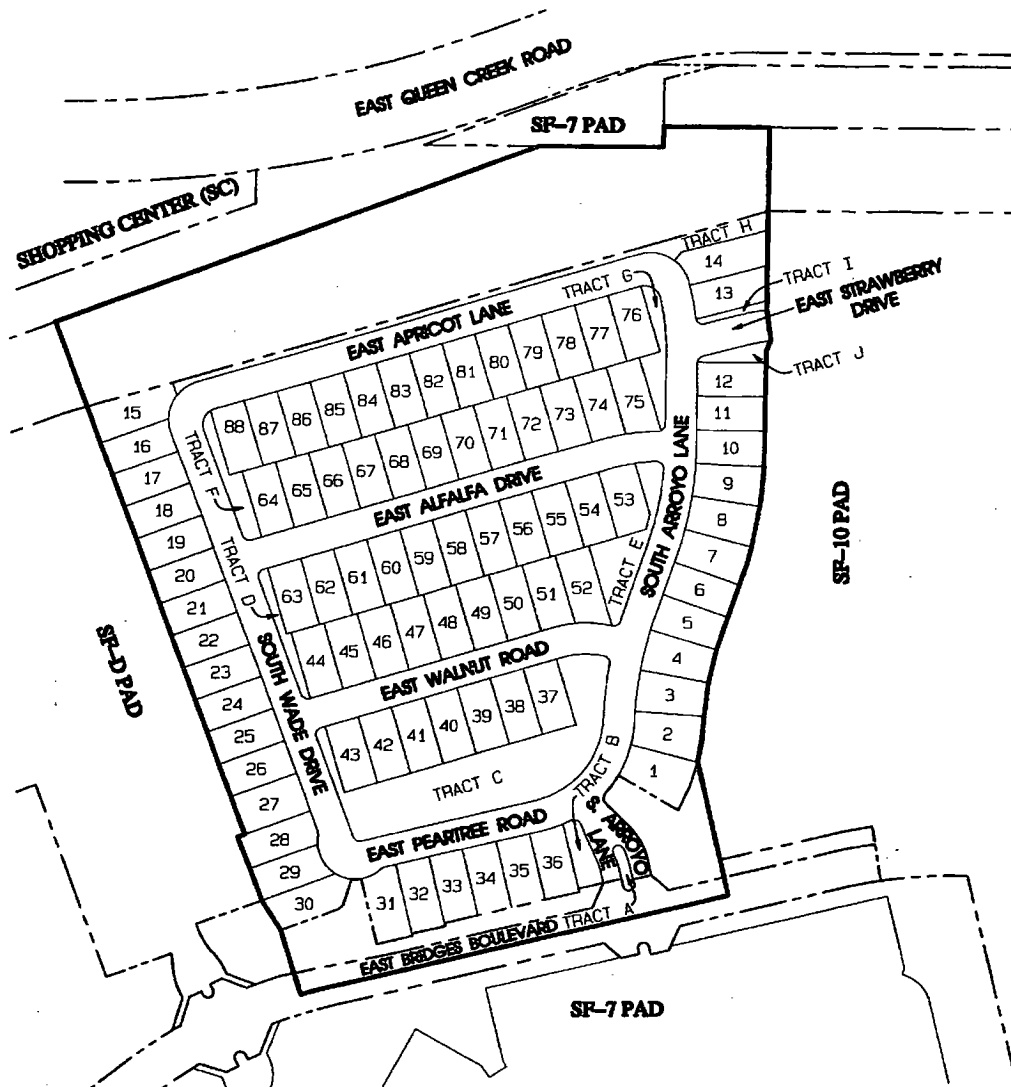
**ZONING E Z13-09: Bridges Phase 1 Parcel 3**  
**THE BRIDGES AT GILBER Attachment 3 - Zoning Ordinance**  
**Exhibit 2 - Zoning Map**



ZONING CASE NO. Z13-09



**GOODWIN AND MARSHALL INC.**  
CIVIL ENGINEERS ~ PLANNERS ~ SURVEYORS  
6909 West Ray Road, Suite 15  
Chandler, Arizona 85226  
(602) 218-7285



**DATA TABLE  
BRIDGES PLANNED AREA DEVELOPMENT  
PHASE 1, PARCEL 3**

25.783 GROSS ACRES

EXISTING ZONING: SF-6 PAD

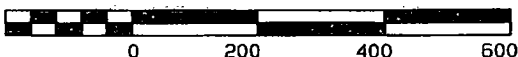
PROPOSED ZONING: SF-D PAD

PROPOSED DENSITY: 3.41 LOT/GROSS ACRES

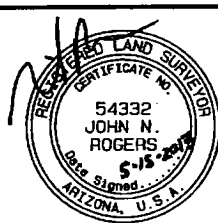
PROPOSED AMENDED  
DEVELOPMENT STANDARDS:  
HEIGHT: 30' / 2 STORIES  
LOT WIDTH: MIN 55'  
LOT LENGTH: MIN 110'  
LOT AREA: MIN 6,000 SQ. FT.



GRAPHIC SCALE 1"=200'



ZONING CASE NO. Z13-09



EXPIRES 3/31/2016

**GOODWIN & MARSHALL**  
CIVIL ENGINEERS ~ PLANNERS ~ SURVEYORS  
6909 West Ray Road, Suite 15  
Chandler, Arizona 85226  
(602) 218-7285

**FINDING OF FACT  
Z13-09 Bridges Phase 1 Parcel 3**

1. The proposed zoning amendment conforms to the General Plan and the Bridges Planned Area Development overlay zoning district.
2. All required public notice has been conducted in accordance with applicable state and local laws.
3. All required public meetings and hearings have been held in accordance with applicable state and local laws.

**When recorded mail to:**

**Town of Gilbert**

**Town Clerk**

**50 East Civic Center Drive**

**Gilbert AZ 85296**

**OFFICIAL RECORDS OF  
MARICOPA COUNTY RECORDER  
HELEN PURCELL  
20130601517 07/01/2013 12:33 N  
ELECTRONIC RECORDING  
Gilbert851-12-1-1--**

This area reserved for County Recorder

**CAPTION HEADING**  
**Ordinance 2436**

**DO NOT REMOVE**